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U.S. DISTRICT COURT  
MIDDLE DIST. OF GEORGIA  
MACON, GEORGIA

IN THE UNITED STATES DISTRICT  
COURT FOR THE MIDDLE DISTRICT  
OF GEORGIA  
MACON DIVISION

Lester Smith,

Plaintiff,

V.

Brian Owens,

Defendant.

Civil Action No. 5:12-CV-26

WLS-CHW

PLAINTIFF'S SETTLEMENT  
OFFER

COMES NOW Plaintiff in the above  
styled case in a pro-se posture and files  
this settlement offer as a record for this  
Court.

WHEREAS, plaintiff Lester Smith, and defendant  
Brian Owens, are parties to a civil action case  
no. 5:12-CV-26 in this court, U.S. Dist. Court  
Middle Dist. Ga. Macon Div.; and

(1)

WHEREAS, said parties are desirous of being released of any and all claims with respect to the civil action;

NOW THEREFORE, in consideration of the releases and Covenants contained herein, Plaintiff offers to settle this case if Defendant consents to the following:

1. With respect to this case, plaintiff seeks all costs associated with this case to be cast upon defendant, not limited to Court cost, all costs incurred by plaintiff to prosecute said case, including paralegal fees, research, and third party costs plaintiff has incurred for all research purposes.
2. Except with respect to the obligations under this agreement Defendant, hereby agrees to revise the Standard operating Procedure S.O.P. policy no. VH46-0002 "Sharing profile" to allow all state prisoners or all practicing muslims to grow a beard to 1/4 inch without needing a profile to do so. The BLUIPA provides protection for the religious tenet plaintiff has filed suit on.
3. In consideration of Plaintiff dismissing the complaint in its entirety in the civil Action and the releases, representations and agreements as set forth in this agreement, the Defendant will agree to the Stipulations set forth in 1 and 2.
4. This Agreement shall be interpreted in accordance with the laws of this State of Georgia. IN WITNESS WHEREOF, the parties hereto have each approved and executed this agreement on the dates set forth opposite their signatures.

This the 17th of September, 2013.

Signature of Plaintiff  
*Jester Smith*

Signature of Defendant



## AFFIDAVIT OF PLAINTIFF

1.

My name is Lester Smith. I am sui juris and under no civil or legal disability to make this affidavit.

2.

I make this affidavit based upon my personal knowledge of its contents.

3.


Plaintiff has notified defendant via mail and filed a grievance as well, that he is without clothing, etc, as G.D.C. officials continue this tactic to subject Plaintiff to. The initial clothing given to plaintiff has been lost in the prisons laundry dept on more than one occasion. Plaintiff is unable to attend medical appointments at times as he is without clothing.

4.

It is G.D.C. policy to provide plaintiff with clothing, linen etc. policy no. IVA01-0001 and all related directives of said policy. As well as a constitutional right. Plaintiff has submitted numerous clothing request signed by prison staff, only to be ignored. Defendant has not responded to correspondence from one Mr. Vernon Goodman addressing this issue. G.D.C. has a elongated history of this irate regime. See Mothers and Wives against Correctional corruption @ Facebook.

Affiant says nothing further, this the 17th day of Sept. 2013.

Pursuant to 28 U.S.C. 1746  
I declare under penalty of  
perjury the foregoing is true  
and correct.


Signature of Affiant  


## CERTIFICATE OF SERVICE

This is to certify that I have served defendants Counsel via U.S. Mail with copies of the documents herein Hye Min Park at Dep't of Law 40 Capitol Square, Atlanta, Ga 30303.

Served Upon:

Clerk of Court  
U.S. Middle Dist.  
P.O. Box 128  
Macon, Ga 31202

 #977285  
Lester J. Smith Pro-Se  
C.S.P.  
2164 Ga Hwy 147  
Reidsville, Ga 30499